

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:18-cv-05320-CBM-JPR**

Citizens Commission on Human Rights v. United States Food
and Drug Administration

Assigned to: Judge Consuelo B. Marshall

Referred to: Magistrate Judge Jean P. Rosenbluth

Cause: 05:552 Freedom of Information Act

Date Filed: 06/14/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Citizens Commission on Human Rights

represented by **Kendrick L Moxon**

Law Office of Kendrick Moxon PC

3055 Wilshire Blvd Suite 300

Burbank, CA 91505

818-827-7104

Fax: 818-827-7114

Email: kmoxon@kmoxonlaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

**United States Food and Drug
Administration**

represented by **Jason K Axe**

AUSA – US Attorneys Office

Civil Division

300 North Los Angeles Street Suite 7516

Los Angeles, CA 90012

213-894-8827

Fax: 213-894-7819

Email: jason.axe@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David M Harris

AUSA – Office of the US Attorney

300 N Los Angeles Street Room 7516

Los Angeles, CA 90012

213-894-8817

Fax: 213-894-2380

Email: david.m.harris@usdoj.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/14/2018	<u>1</u>	COMPLAINT Receipt No: 0973-21931961 – Fee: \$400, filed by Plaintiff Citizens Commission on Human Rights. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Attorney Kendrick L Moxon added to party Citizens Commission on Human Rights(pty:pla))(Moxon, Kendrick) (Entered: 06/14/2018)
06/14/2018	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff Citizens Commission on Human Rights. (Moxon, Kendrick) (Entered: 06/14/2018)
06/14/2018	<u>3</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening), <u>1</u> filed by Plaintiff Citizens Commission on Human Rights. (Moxon, Kendrick) (Entered: 06/14/2018)
06/14/2018	<u>4</u>	NOTICE of Interested Parties filed by plaintiff Citizens Commission on Human Rights, (Moxon, Kendrick) (Entered: 06/14/2018)

06/15/2018	<u>5</u>	NOTICE OF ASSIGNMENT to District Judge Consuelo B. Marshall and Magistrate Judge Jean P. Rosenbluth. (car) (Entered: 06/15/2018)
06/15/2018	<u>6</u>	60 DAY Summons Issued re Complaint (Attorney Civil Case Opening), <u>1</u> as to Defendant United States Food and Drug Administration. (car) (Entered: 06/15/2018)
06/18/2018	<u>7</u>	STANDING ORDER by Judge Consuelo B. Marshall: READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE AND MAY DIFFER IN SOME RESPECTS FROM THE LOCAL RULES. (see document for further details) (bm) (Entered: 06/18/2018)
09/21/2018	<u>8</u>	STIPULATION for Extension of Time to File Answer to 10/01/2018 re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order Extending Time to Respond to Complaint)(Attorney Jason K Axe added to party United States Food and Drug Administration(pty:dft))(Axe, Jason) (Entered: 09/21/2018)
10/01/2018	<u>9</u>	STIPULATION for Extension of Time to File Answer to 10/15/2018 re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order Extending Time to Respond to Complaint)(Axe, Jason) (Entered: 10/01/2018)
10/02/2018	<u>10</u>	ORDER EXTENDING TIME TO RESPOND TO COMPLAINT <u>9</u> by Judge Consuelo B. Marshall: IT IS SO ORDERED that Defendant shall have an extension of time, up to and including October 15, 2018, within which to answer, plead, or otherwise respond to Plaintiff's Complaint. (bm) (Entered: 10/03/2018)
10/16/2018	<u>11</u>	STIPULATION for Extension of Time to File Answer to 11/05/2018 re Complaint (Attorney Civil Case Opening), <u>1</u> , Order Extending Answer Due Deadline, <u>10</u> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order Extending Time to Respond to Complaint)(Axe, Jason) (Entered: 10/16/2018)
10/17/2018	<u>12</u>	ORDER EXTENDING TIME TO RESPOND TO COMPLAINT <u>11</u> granting Stipulation by Judge Consuelo B. Marshall: IT IS SO ORDERED that Defendant shall have an extension of time, up to and including November 5, 2018, within which to answer, plead, or otherwise respond to Plaintiff's Complaint. (bm) (Entered: 10/18/2018)
11/05/2018	<u>13</u>	STIPULATION for Extension of Time to File Answer to 11/19/2018 re Order Extending Answer Due Deadline, <u>12</u> , Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order Extending Time to Respond to Complaint)(Axe, Jason) (Entered: 11/05/2018)
11/06/2018	<u>14</u>	ORDER EXTENDING TIME TO RESPOND TO COMPLAINT <u>13</u> by Judge Consuelo B. Marshall: IT IS SO ORDERED that Defendant shall have an extension of time, up to and including November 19, 2018, within which to answer, plead, or otherwise respond to Plaintiff's Complaint. (bm) (Entered: 11/08/2018)
11/19/2018	<u>15</u>	STIPULATION for Extension of Time to File Answer to 12/10/2018 re Complaint (Attorney Civil Case Opening), <u>1</u> , Order Extending Answer Due Deadline, <u>14</u> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order Extending Time to Respond to Complaint)(Axe, Jason) (Entered: 11/19/2018)
11/26/2018	<u>16</u>	ORDER EXTENDING TIME TO RESPOND TO COMPLAINT by Judge Consuelo B. Marshall. IT IS SO ORDERED that Defendant shall have an extension of time, up to and including December 10, 2018, within which to answer, plead, or otherwise respond to Plaintiffs Complaint. (yl) (Entered: 11/26/2018)
12/10/2018	<u>17</u>	ANSWER to Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States Food and Drug Administration.(Axe, Jason) (Entered: 12/10/2018)
12/18/2018	<u>18</u>	MINUTES (IN CHAMBERS) ORDER SETTING SCHEDULING CONFERENCE by Judge Consuelo B. Marshall: On the Court's own motion, this case is set for a Scheduling Conference on MARCH 26, 2019 at 9:30 A. M. pursuant to FRCP 16(b). Counsel are reminded of their obligations to disclose information and confer on a discovery plan not later than 21 days prior to the Scheduling Conference. (See minutes for further details) (yl) (Entered: 12/19/2018)

12/27/2018	<u>19</u>	EX PARTE APPLICATION to Stay Case pending DEFENDANT'S EX PARTE APPLICATION FOR A STAY OF THE ENTIRE CASE DUE TO THE LAPSE OF APPROPRIATIONS; DECLARATION OF DAVID M. HARRIS; [PROPOSED ORDER] filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Declaration of David M. Harris, # <u>2</u> Proposed Order) (Attorney David M Harris added to party United States Food and Drug Administration(pty:dft)) (Harris, David) (Entered: 12/27/2018)
12/28/2018	<u>20</u>	MINUTES (IN CHAMBERS) by Judge Consuelo B. Marshall: GRANTING <u>19</u> EX PARTE APPLICATION to Stay Case. The Court has read and considered the Defendants ex parte application to stay the case due to the lapse in appropriations. (Dkt. No. 19.) The Court ORDERS that the case is stayed until March 1, 2019, or until the date that funding for the Department of Justice is restored, whichever date occurs first. At that time, the parties are ORDERED to file a joint status report informing the Court of the status of the case and requesting that the stay be lifted. (shb) (Entered: 12/28/2018)
02/12/2019	<u>21</u>	STATUS REPORT <i>RE STAY (Joint)</i> filed by Defendant United States Food and Drug Administration. (Attachments: # <u>1</u> Proposed Order)(Axe, Jason) (Entered: 02/12/2019)
02/14/2019	<u>22</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: re: STATUS REPORT RE STAY <u>21</u> . The stay of proceedings is lifted. The parties request for an automatic stay of all proceedings in the event of another lapse of appropriations in February 2019 is denied. To the extent the parties seek another stay of proceedings if another lapse in appropriations occurs, the parties must file a stipulation or request to stay proceedings at that time. (shb) (Entered: 02/14/2019)
03/19/2019	<u>23</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 1–2 days, filed by Defendant United States Food and Drug Administration.. (Axe, Jason) (Entered: 03/19/2019)
03/26/2019	<u>24</u>	MINUTES OF SCHEDULING CONFERENCE held before Judge Consuelo B. Marshall. The case is called and counsel state their appearance. The Court and counsel confer. Following discussions with the parties, the Court will continue this hearing to June 4, 2019 at 10:00 a.m. Counsel shall file another joint status report by no later than May 28, 2019 as stated on the record. Court Reporter: Lisa Gonzalez. (shb) (Entered: 04/04/2019)